

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN DOE, JOHN DOE, SR. and	:	
JANE DOE,	:	
	:	
Plaintiffs	:	No. 3: CV 02-0444
	:	(Judge Jones)
	:	
v.	:	
	:	
FATHER ERIC ENSEY, ET AL.,	:	
	:	
Defendants	:	

ORDER

January 29, 2004

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On January 27, 2004, counsel for the parties in the above captioned case participated in a hearing regarding Plaintiffs' pending motions to: 1) Compel Production of Psychological and Psychiatric Records and Evaluations of Frs. Urrutigoity and Ensey; and 2) Ratify the Deposition of Matthew Selinger, et seq. At the hearing certain oral agreements were entered into by counsel in consultation with the Court. The purpose of this order is to reduce the same to writing.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The above case is stricken from the May 2004 trial list and is placed on the September 2004 trial list. Jury selection shall be held on or about September 7, 2004, at a location to be determined.
2. The deadline for filing dispositive motions is June 1, 2004.
3. The settlement conference will be held telephonically on or about June 29, 2004, at a time to be determined.
4. All discovery shall be concluded by May 25, 2004.
4. The final pre-trial conference will be held on August 2, 2004 at a time and place to be determined.
5. Plaintiffs' Motion to Ratify the Deposition of Matthew Selinger, the Depositions Taken the Week of November 10, 2003, and to Permit Additional Telephonic Depositions (doc. 43) is disposed of as follows:
 - i. the deposition of Matthew Selinger, taken on October 24, 2003 without the presence of counsel for any of the Defendants, shall not be used for any purpose. Counsel for all parties will coordinate a date and location for a new Selinger deposition on or by February 6, 2004. If the parties are unable to reach an agreement, they shall contact the Court for the purpose of

scheduling a telephonic conference call to resolve the matter.

- ii. the depositions of Steven Fitzpatrick, Joseph Sciambra, Patrick McLaughlin and Paul Hornak may be used at trial, pursuant to F.R.C.P. 32.

- 6. A determination on the Motion to Compel Production of Psychological and Psychiatric Records will be made by separate order.

s/ John E Jones III
John E. Jones III
United States District Judge